

Message Text

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ACTION EB-08

INFO OCT-01 EUR-12 ISO-00 JUSE-00 ACDA-12 CIAE-00
INR-07 IO-13 L-03 NSAE-00 NRC-05 OES-07 DODE-00
ERDA-05 SS-15 SP-02 INRE-00 NSCE-00 SSO-00 FEA-01
/091 W

-----025023 012352Z /70

O 012334Z DEC 77

FM AMEMBASSY OTTAWA

TO SECSTATE WASHDC IMMEDIATE 5535

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FOR EB - ASST. SECRETARY KATZ

DEPT. PASS JUSTICE

E.O. 11652:N/A

TAGS: ENRG, ECON, CA

SUBJECT: U.S./CANADA DECEMBER 5 MEETING ON URANIUM CASE

1. IN CONVERSATIONS WITH EMBOFFS RE SUBJECT MEETING, EXTAFF
GAVE FOLLOWING OUTLINE OF THEIR TWO-PHASED APPROACH TO
URANIUM DISCUSSIONS:

(A) FIRST STAGE. INITIAL PRESENTATIONS ON DECEMBER 5 BY
BOTH SIDES (WITH CANADA TAKING LEAD) DESCRIBING THEIR
RESPECTIVE PERCEPTIONS ABOUT ACTIONS AND EVENTS LEADING TO
PRESENT LEGAL SITUATION. DURING THIS PHASE, PURPOSE WOULD
BE TO CLARIFY POSITIONS WITH A VIEW TO IDENTIFYING AREAS
FOR ACCOMMODATIONS.

(B) SECOND STAGE. FURTHER MEETINGS ATTEMPTING TO REACH AN
UNDERSTANDING THAT WOULD MAKE ACCOMMODATION POSSIBLE, SUCH
AS, UNDERTAKINGS FROM U.S. DEPARTMENT OF JUSTICE THAT WOULD
PROTECT INFORMATION WHICH MIGHT BE SUPPLIED BY CANADA FROM
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USE IN PROCEEDINGS AGAINST CANADIAN INTERESTS WHICH ACTED
IN ACCORDANCE WITH GOC POLICY ON URANIUM EXPORTS.

2. AT DECEMBER 5 MEETING, CANADIANS WILL SEEK TO BROADEN
URANIUM ISSUE BEYOND STRICTLY LEGAL FRAMEWORK, EMPHASIZING
THAT IT HAS IMPORTANT POLITICAL/ECONOMIC IMPLICATIONS. IN
THIS RESPECT CANADIANS INDICATED THAT GOC HAD CONSIDERED

VARIOUS "DOOMSDAY" POLITICAL/ECONOMIC SCENARIOS WHICH COULD EVOLVE UPON FAILURE TO REACH ACCOMMODATION ON URANIUM ISSUE. SUCH SCENARIOS HAVE NOT BEEN FULLY DEVELOPED OWING TO GOC VIEW THAT RESOLUTION OF URANIUM PROBLEM MUST AND WILL BE ACHIEVED.

3. EXTAFF OFFICIAL STRESSED THAT GOC INTENDED TO BE CONCILIATORY IN THESE DISCUSSIONS, HOPING TO DE-FUSE A SENSITIVE POLITICAL ISSUE, CONSISTENT WITH PROTECTING WHAT CANADA CONSIDERS ITS ESSENTIAL RIGHTS AND INTERESTS. IMPLICATION OF (B) ABOVE IS THAT GOC POSITION ON EXTRATERRITORIAL REACH OF U.S. ANTI-TRUST LAW IN URANIUM CASE HAS NOT SHIFTED.

4. CANADIANS ALSO STRESSED IMPORTANCE GOC ATTACHES TO FOLLOW-UP OF ATTORNEY GENERAL BELL'S VISIT TO OTTAWA AND OF REACHING AGREEMENT ON GENERAL PRINCIPLES TO GUIDE EXTRA-TERRITORIAL ENFORCEMENT OF ANTI-TRUST LAWS. HOWEVER, THEY CONTINUE TO SEE THIS PROCESS AS SEPARATE FROM URANIUM DISCUSSIONS AND WILL NOT LINK THE TWO ON DECEMBER 5. ENDERS

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Disposition Approved on Date:
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